THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.3534 OF 2004

DATED:9.3.2006

Between:

N.C.K.Educational Society, Kurnool

Rep. by Correspondent,

D. Radhakrishna

…Petitioner

And

The Government of Andhra Pradesh,

Represented by Principal Secretary,

School Education, A.P.,

Hyderabad and another

…Respondents

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ORDER:

N.C.K. Educational Society, Kurnool, filed the present Writ Petition seeking a Writ of Mandamus declaring the action of the respondents in rejecting the application of the petitioner society by proceedings dt.5.2.2004, as illegal and arbitrary. A consequential direction is also sought to issue no objection certificate for establishment of Telugu Pandit and Hindi Pandit Training Centres at Anantapur. The petitioner's application for establishing the institute was rejected by first respondent in accordance with rules and regulations, which were prevalent at the relevant time. At the time of hearing today, learned Assistant Government Pleader

has placed before this Court, the National Council for Teacher Education (Recognition Norms & Procedure) Regulations, 2005 promulgated by National Council for Teacher Education (NCTE) in accordance with the powers conferred on them under Section 32(2) of the NCTE Act, 1993. As per Regulation 5 of these Regulations, an institution eligible under Regulation 4 desirous of running a teacher education programme, has to apply to the Regional Committee of NCTE for recognition, which shall be considered by NCTE in consultation with the State Government in accordance with Regulation 7. After coming into force of the Regulations on a clarification sought by Government of Andhra Pradesh, the NCTE, New Delhi, has issued a clarification informing that those institutions who applied to NCTE without no objection certificate from the State Government, may apply to NCTE now without no objection certificate as per the new Regulations referred to hereinabove. Now that the petitioner's application was already rejected by the State Government for no objection certificate, it is open to petitioner to directly apply to NCTE in accordance with 2005 Regulations.

The Writ Petition, with the above observations, is accordingly disposed of.

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(V.V.S.RAO, J)

9.3.2006

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